

AMENDED IN ASSEMBLY MAY 6, 2003

AMENDED IN ASSEMBLY APRIL 3, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 471

Introduced by Assembly Members Simitian, Laird, and Nakano

February 14, 2003

An act to add Chapter 3.3 (commencing with Section 39630) to Part 2 of Division 26 of the Health and Safety Code, relating to air emissions.

LEGISLATIVE COUNSEL'S DIGEST

AB 471, as amended, Simitian. Air emissions: cruise ships.

Existing law requires the State Air Resources Board to measure and record the opacity of visible emissions of a representative sample of large passenger vessels while at berth or at anchor in a port in the state. That provision is repealed as of July 1, 2003.

This bill would instead prohibit, as of January 1, 2004, a cruise ship, as defined, from conducting onboard waste incineration while operating within 90 miles of the California coast. The bill would require, as of January 1, 2005, a cruise ship to use only specified diesel fuel while operating within 25 miles of the California coast.

The bill also would prohibit, as of January 1, ~~2006~~ 2008, a cruise ship from operating its main propulsion or auxiliary engines while docked, beginning 30 minutes after docking until one hour prior to the scheduled departure time. The bill would require the State Air Resources Board to enforce those provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 3.3 (commencing with Section 39630) is added to Part 2 of Division 26 of the Health and Safety Code, to read:

CHAPTER 3.3. CRUISE SHIPS

39630. The Legislature finds and declares that it is in the interests of all Californians to protect the air quality from increasing volumes of cruise ship engine emissions.

39631. (a) The state board shall enforce this chapter, and may adopt standards, rules, and regulations for that purpose pursuant to Section 39601.

(b) As used in this division, “cruise ship” means a commercial vessel that has the capacity to carry 250 or more passengers for hire. “Cruise ship” does not include the following:

~~(a)~~

(1) Vessels without berths or overnight accommodations for passengers.

~~(b)~~

(2) Noncommercial vessels, warships, vessels operated by nonprofit entities as determined by the Internal Revenue Service, and vessels operated by the state, United States, or a federal government.

39632. Commencing on January 1, 2004, a cruise ship shall not conduct onboard waste incineration while operating within 90 miles of the California coast.

39633. Commencing on January 1, 2005, a cruise ship shall use only diesel fuel formulated as specified in Sections 2281 and 2282 of Title 13 of the California Code of Regulations, while operating within 25 miles of the California coast.

39634. Commencing on January 1, ~~2006~~ 2008, a cruise ship shall not operate its main propulsion or auxiliary engines while docked, and instead shall connect to a shoreside power source. This prohibition applies beginning 30 minutes after docking until one hour prior to the scheduled departure time, unless superseded by the United States Coast Guard.

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